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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,092	08/28/2003	Adam David Mongeau	BLTC002/00US	5903
22903	7590	03/09/2005	EXAMINER	
COOLEY GODWARD LLP ATTN: PATENT GROUP 11951 FREEDOM DRIVE, SUITE 1700 ONE FREEDOM SQUARE- RESTON TOWN CENTER RESTON, VA 20190-5061			KING, ANITA M	
			ART UNIT	PAPER NUMBER
			3632	
DATE MAILED: 03/09/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/650,092

Applicant(s)

MONGEAU, ADAM DAVID

Examiner

Anita M. King

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,7-16,18-23,27,28,31-36,38-41 and 44-51 is/are pending in the application.
4a) Of the above claim(s) 9,10 and 24-26 is/are withdrawn from consideration.
5) ☒ Claim(s) 44-51 is/are allowed.
6) ☒ Claim(s) 1,5,8,11-16,18-21,23,27,28,31,33-36 and 38-41 is/are rejected.
7) ☒ Claim(s) 7,22 and 32 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/20/04.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

This is the second office action for application number 10/650,092, Mount for an Input Device, filed on August 28, 2003.

Election/Restriction

Claims 9, 10, and 24-26 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on July 2, 2004.

Response to Amendment

The indicated allowability of claim 30 is withdrawn in view of the newly discovered reference(s) to Lin. Rejections based on the newly cited reference(s) follow.

Cancellation of Claims

Claims 2-4, 6, 17, 24-26, 29, 30, 37, 42, and 43 have been canceled per applicant's request.

Claim Objections

Claim 5 is objected to because of the following informality: the word --first-- should be inserted before "mount" in line 3 of the claim. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 16, 18, 19, 21, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,918,841 to Sweere et al., hereinafter, Sweere. Sweere discloses an apparatus comprising: a support member (1214, see Fig. 29); a first mount (1010) pivotally coupled to the support member and configured to retain an input device such that the input device has a range of motion including a first position and a second position, at least one of the first position and the second position being substantially vertical; a second mount (222) coupled to the support member and configured to couple to an output device; wherein the first mount has a first retention member (1018) and a second retention member (1038), the first retention member and the second retention member are configured to retain the input device on the first mount without modification to the input device; wherein the first retention member is fixedly coupled to the first mount, and a distance between the first retention member and the second retention member when the second retention member is in its first position is greater than a distance between the first retention member and the second retention member when the second retention member is in its second position; wherein the first mount has a first elongate member (1016) and a second elongate member (1018), the first elongate member is slideably coupled to the first elongate member, at least one of the first elongate member and the second elongate member configured to retain the input device; and wherein the first mount is configured to contact a first side of the input device and a second side of the input device, the second side of the input device is parallel to the first side of the input device.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 5, 8, 11-15, 20, 27, 28, 31, 33-36, and 38-41 are Sweere rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,179,261 to Lin. Sweere discloses an apparatus (1200) comprising: a support member (1214); a first mount/clamp (1010) coupled to the support member and configured to removably retain an input device without modification to the input device, the first mount having a first retention member (1018) and a second retention member (1038), the second retention member being movably with respect to the first retention member between a first position and a second position, a distance between the first retention member and the second retention member when the second retention member is in its first position being greater than a distance between the first retention member and the second retention member when the second retention member is in its second position; a second mount (222) coupled to the support member and configured to couple to an output device; wherein the first retention member is fixedly coupled to the first mount; wherein the first mount is pivotally coupled to the support member and is configured to pivot from a first position to a second position substantially perpendicular to the first position; wherein the first mount is configured to removably retain an input device; wherein the first device is configured to contact a first side of the input device and a second side of the input device, the second side of the input device is parallel to the first side of the input device; wherein the first mount has a first elongate member (1016) and a second elongate member (1018), the first elongate member is slideably coupled to the first elongate

member, at least one of the first elongate member and the second elongate member configured to retain the input device; .

Sweere discloses the claimed invention except for the limitation of the second retention member being biased to its second position. Lin teaches that it is known to have an apparatus comprising a first mount (1) attachable to a support member, wherein the mount includes a first retention member (12), a second retention member (11) being movable with respect to the first retention member between a first position and a second position, a distance between the first retention member and the second retention member when the second retention member is in its first position being greater than a distance between the first retention member and the second retention member when the second retention member is in its second position, and the second retention member being biased to its second position. It would have been obvious to one having ordinary skill in the art at the time the invention was made to have modified the apparatus in Sweere to have included the mount as taught by Lin for the purpose of providing a more secured means for elastically retaining an input device on the first mount.

Allowable Subject Matter

Claims 44-51 are allowed.

Claims 7, 22, and 32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

Applicant's arguments with respect to claims 1, 5, 8, 11-16, 18-23, 27, 28, 31, and 33-40 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent 5,881,984 to Lin

U.S. Patent 6,382,580 to Wisniewski

U.S. Patent 6,585,212 to Carnevali

U.S. Patent 6,796,536 to Sevier, IV

U.S. Patent 6,817,587 to Lin


Lin discloses a dimensional adjusting device for a computer keyboard. Wisniewski discloses a keyboard clamp tray assembly. Carnevali discloses a mounting platform having a quick release mechanism. Sevier, IV discloses a computer support apparatus and method. Lin discloses a mobile computer rack.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anita M. King whose telephone number is (703) 308-2162. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on (703) 308-2156. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Anita M. King
Primary Examiner
Art Unit 3632

March 6, 2005